

STATE OF SOUTH CAROLINA)	IN THE COURT OF COMMON PLEAS
)	FIFTH JUDICIAL CIRCUIT
COUNTY OF RICHLAND)	C/A No.: 2021-CP-05_____
)	
BESSIE DAVIS)	
)	Summons
Plaintiff,)	
)	
vs.)	
)	Jury Trial Demanded
OUTBACK STEAKHOUSE OF)	
FLORIDA, LLC; JOHN GRIFFIN;)	
and JOHN DOE(S) 1-2)	
)	
Defendant(s))	
_____)	

**TO: DEFENDANT(S), OUTBACK STEAKHOUSE OF FLORIDA, LLC; JOHN D. GRIFFIN;
and JOHN DOE(S) 1-2**

YOU ARE HEREBY SUMMONED and required to answer the Complaint in this action, a copy of which is herewith served upon you, and to serve a copy of your answer to said Complaint on the subscriber at 50 Canal Street, Suite 9, Graniteville, South Carolina 29829 within thirty (30) days after service hereof, exclusive of the day of service hereof. AND IF YOU FAIL to answer the Complaint within the time aforesaid, the Plaintiff in this action will apply to the Court for the relief demanded in the Complaint.

THE MCDOWELL FIRM, LLC

BY: s/Jason R. McDowell
 Jason R. McDowell
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August 23, 2021

Graniteville, South Carolina

Attorney for Plaintiff

STATE OF SOUTH CAROLINA)	IN THE COURT OF COMMON PLEAS
)	FIFTH JUDICIAL CIRCUIT
COUNTY OF RICHLAND)	C/A No.: 2021-CP-05 _____
)	
BESSIE DAVIS)	
)	Complaint – Jury Trial Demanded
Plaintiff,)	
)	
vs.)	
)	
OUTBACK STEAKHOUSE OF)	
FLORIDA, LLC; JOHN GRIFFIN; and,)	
JOHN DOE(S) 1-2)	
)	
Defendant(s))	
)	

COMES NOW, BESSIE DAVIS, (hereinafter "Plaintiff"), by her undersigned attorney, complains of the Defendant(s), above-named, and would show unto the Court as follows:

ONE: The Plaintiff is a resident and citizen of Aiken County, South Carolina and was at the time of the occurrence mentioned herein.

TWO: That upon information and belief, the Defendant, OUTBACK STEAKHOUSE OF FLORIDA, LLC, is and/or was a foreign corporation organized under the laws of a State other than South Carolina but authorized to render business and/or services in South Carolina and it is and/or was formerly doing business in Richland County, South Carolina and is subject to the jurisdiction of this Court.

THREE: That upon information and belief, the Defendant, JOHN GRIFFIN, is a resident and citizen of Richland County, South Carolina and was so on the date of incident and he is or was the proprietor of the incident location of the local Outback Steakhouse restaurant establishment located at or near 252 F. Harbison Boulevard, Columbia, South Carolina 29212, and he was or is doing business in Richland County, South Carolina at the time of the incident regarding this Complaint and is subject to the jurisdiction of this Court.

FOUR: That upon information and belief, the true names or capacities of Defendant(s) named herein as JOHN DOE(S) 1-2 [hereinafter collectively referred to as "John Does"] are unknown to the Plaintiff, who therefore sue said Defendant(s) by such fictitious names. Plaintiff will amend the Complaint to show said John Does' true names and service addresses when the same have been ascertained.

- FIVE:** Plaintiff identifies John Does as either joint tortfeasors or possible additional liable parties. Plaintiff alleges on information and belief that John Does are in some manner responsible for the acts or omissions alleged herein.
- SIX:** That Plaintiff is informed and believes that the events and circumstances giving rise to this Complaint occurred in Richland County, South Carolina; hence, jurisdiction is proper in Richland County, South Carolina.
- SEVEN:** That on or about August 25, 2018, the Plaintiff while dining or eating inside of what is generally known as the Outback Steakhouse on Harbison Boulevard, which is believed to be controlled, owned, or possessed by all, either, and/or some of the Defendant(s), which restaurant is located at 252 F. Harbison Boulevard, Columbia, South Carolina 29212 in a walk area section of the restaurant when Plaintiff slipped on a substance, which made the floor of the restaurant slippery or ill-maintained, which caused Plaintiff to fall on the floor causing Plaintiff to suffer injury.
- EIGHT:** Defendant(s), including John Does, either knew or should have known that the liquid or unwanted substance was on the floor of the restaurant and created a hazardous condition for customers and patrons including the Plaintiff.
- NINE:** As a result of the hazardous condition, Plaintiff suffered injuries to her head, shoulder(s), hip(s), neck, back, knee(s), leg(s), and other parts of his body; these injuries have caused and will in the future cause Plaintiff to endure great physical pain, suffering, mental anguish, emotional distress, and impairment of health and bodily efficiency; have caused Plaintiff to spend money for healthcare related services and/or deprived Plaintiff from participating in hobbies.
- TEN:** The Plaintiff demands a trial by jury.
- ELEVEN:** Defendant(s), including John Does, were negligent, careless, reckless, grossly negligent, willful and wanton, by and through its agents, servants, and/or employees, acting in their capacity as agents, servants, and/or employees of Defendant(s) and within the course and scope of its agency, service, and/or employment at the time and place above-mentioned in one or more of the following particulars:
- a). In permitting the floors in the restaurant to be in a dangerous condition which Defendant(s) knew or should have known, would give rise to a reasonable risk of injury to customers and patrons, including the Plaintiff;
 - b). In failing to properly maintain the floor;

- c). In failing to make reasonable inspections of the premises so as to prevent the risk of injury to its business invitees;
- d). In failing to warn business invitees of the unreasonable risk of injury posed by the above-mentioned dangerous condition;
- e). In failing to use the degree of care and caution that a reasonable business establishment would have used under similar circumstances;
- f). In failing to discover or warn business invitees of the presences of the dangerous condition; and,
- g). In such other and further particulars as the evidence in trial may show all which combined and concurred as a direct and proximate cause of the injuries and damages suffered by the Plaintiff herein, said acts being in violation of the statutes and law of the State of South Carolina.

WHEREFORE, the Plaintiff prays for a jury trial and for judgment against Defendant(s) in a sum sufficient to adequately compensate for actual damages, attorney's fees, costs of the action, together with punitive damages with total damages including attorney's fees as well as any other relief deemed necessary and proper by this Court all in an amount to be ascertained through trial by jury.

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